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## FACSIMILE TRANSMITTAL SHEET

**TO:** Charles A. Marmor II, Examiner

**FIRM/COMPANY:** Mail Stop Amendment, Commissioner for Patents

**FACSIMILE NUMBER:** 703 872-9306

**CONFIRMATION TELEPHONE:** 703 305-3521

**FROM:** Ruth Der

**DIRECT DIAL:** 415.371.2231

**DATE:** September 21, 2004

**USER NUMBER:**

**FILE NUMBER:** U.S. Serial No. 10/650,027, Atty. Docket No. R0367-00302

**TOTAL # OF PAGES:** 10  
(INCLUDING COVERSHEET)

**MESSAGE:** Attached are *Supplemental Amendment And Further Response To Office Action Mailed 06/15/2004 and Revised Declaration and Power Of Attorney.*

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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of  
Burbank et al.

Examiner: Charles A. Marmor II

Group Art Unit: 3736

For: **ELECTROSURGICAL BIOPSY DEVICE  
AND METHOD**

Serial No.: 10/650,027

Filed: august 27, 2003

Atty. Docket No.: R0367-00302

TRANSMITTAL

## CERTIFICATE OF MAILING PURSUANT TO 37 CFR 1.8

I hereby certify that this these papers are being sent by facsimile to (703) 872-9306, addressed to Examiner C. A. Marmor II at Mail Stop  
Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 21, 2004 in San Francisco, CA.

By: 

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

1. Transmitted herewith for filing in the above-identified patent application are
  - X Supplemental Amendment And Further Response To Office Action Mailed 06/15/2004; and
  - X Signed Revised Declaration And Power Of Attorney (4 pages).
2. Payment of Fees
  - X Applicants believe there is no fee due with this communication; however, the Commissioner is authorized to charge any fees and to credit any overpayment of fees which may be required under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0367-00302. **A duplicate copy of this sheet is enclosed for this purpose.**

Respectfully submitted:

By: 

Edward J. Lynch  
Registration No. 24,422  
Attorney for Applicants

Duane Morris LLP  
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Spear Tower, Suite 2000  
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**SUPPLEMENTAL AMENDMENT  
AND FURTHER RESPONSE  
TO OFFICE ACTION MAILED  
06/15/2004****CERTIFICATE OF MAILING/FACSIMILE PURSUANT TO 37 C.F.R. §1.8**

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By: 

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In further response to the Office Action mailed June 15, 2004, please amend the  
above-identified application as follows: